

SC-HMIS

Privacy Policy

SC-HMIS was developed to meet a data collection requirement made by the United States Congress to the Department of Housing and Urban Development (HUD). Congress passed this requirement in order to get a more accurate count of individuals who are homeless and to identify the need for and use of different services by those individuals and families. *Mental Illness Recovery Center, Inc.* is meeting the goal set by Congress by collecting statistical information on clients who access our services and reporting that information to a central data collection system.

Many agencies in the state of South Carolina also use the SC-HMIS to keep computerized case records. Some, only with the client's permission, share information with other agencies on the SC-HMIS. The information that you may agree to allow us to collect and share includes demographic information and services provided. Sharing information with the SC-HMIS and other agencies helps us to better understand the number of individuals who need services from more than one agency. This may help us to meet your needs and the needs of others in our community by allowing us to develop new and/or more efficient programs. Sharing information through SC-HMIS can also help us make referrals more easily, often with less paperwork for us and you.

Maintaining the privacy and safety of those using our services is very important to us. Information gathered about you is personal and private. **We collect information only when appropriate to provide services, manage our organization, for research, or as required by law.** Your record will be shared only if you give your permission. Depending on your individual situation, there may be benefits and/or risks which you should consider carefully before you decide whether or not to consent to release of any identifying information to another agency. You cannot and will not be denied services that you would otherwise qualify for if you choose not to share information.

Please note, even if you do not want your information shared with other agencies or your actual name entered into the system, we must still report some information to the central data collection system, which contains provisions to protect your name and privacy, because of our federal and state laws.

CONFIDENTIALLY RIGHTS

Mental Illness Recovery Center, Inc. has a confidentiality policy that has been approved by its Board of Directors. The policy follows all HUD and HIPAA confidentiality regulations that are applicable to the agency, including those covering programs that receive HUD funding for homeless services (Homeless Management Information Systems Data and Technical Standards Final Notice (Federal Register/Vol. 69, No. 146) and the Draft Revisions, July, 2009). The HIPAA privacy and security rules govern confidential health information such as the diagnosis or treatment of a mental health disorder, a drug or alcohol disorder, and AIDS/HIV condition or domestic violence situation. Even if you choose to allow us to share information with other agencies, records about substance abuse, physical and mental health, HIV, and domestic violence will **not** be shared without your specific written release of information.

This agency is restricted to using or disclosing personal information from the SC-HMIS only in the following circumstances:

- To provide or coordinate services to an individual
- For functions related to payment or reimbursement for services
- To carry out administrative functions including, but not limited to, legal, audit, personnel, planning, oversight and management functions.
- Database used for research

- Contractual research where privacy conditions are met
- Where a disclosure is required by law and disclosure complies with and is limited to the requirements of the law. Instances in which this might occur are during a medical emergency, to report a crime against Agency staff, or to avert a serious threat to health or safety

YOUR INFORMATION RIGHTS

As a client receiving services at this agency, you have the following rights:

- Access to your record. You have the right to review your SC-HMIS record. At your request, we will assist you in viewing the record within 7 working days.
An agency may deny you the right to inspect or copy your personal information for the following reasons: (1) information is compiled in reasonable anticipation of litigation or comparable proceedings; (2) information about an individual other than the agency staff would be disclosed; (3) information was obtained under a promise of confidentiality other than a promise from this provider and disclosure would reveal the source of the information; or (4) disclosure of information would be reasonably likely to endanger the life or physical safety of an individual.
- Corrections to your record. You have the right to request to have your record corrected so that information is current and accurate to ensure accuracy. You have 45 days from the date the information is entered to request a correction.
- Refusal. You have the right to refuse consent to share your information with other agencies. You cannot be denied services that you would otherwise qualify for if you refuse to share information. Please note, that if you refuse this permission, information will still be entered into the system for statistical purposes.
- End of Consent and Withdrawal of the Release of Information. You have the right to change your mind about consent or release of information that you have already granted. You have 45 days from the date you signed the consent or release to revoke it.
- Harassment. The agency reserves the right to reject repeated or harassing requests for access or correction. However, if the agency denies your request for access or correction, you will be provided written documentation regarding your request and the reason for denial. A copy of that documentation will also be included in your client record.
- Grievance. You have the right to be heard if you feel that your confidentiality rights have been violated, if you have been denied access to your personal records, or you have been harmed or put at personal risk.

HOW YOUR INFORMATION WILL BE KEPT SECURE

Protecting the safety and privacy of individuals receiving services and the confidentiality of their records is of paramount importance to us. Through training, policies and procedures, and software we have taken many steps to ensure your information is kept secure.

- The computer program we use has the highest degree of security protection available.
- Only trained and authorized individuals will enter or view your personal information.
- Your name and other identifying information will not be contained in local reports.
- Employees receive training in privacy protection and agree to follow strict confidentiality guidelines.
- The server/database/software allow only authorized individuals access to the information.
- The server/database will communicate using 128-bit encryption – an Internet technology intended to keep information private while transporting data. Furthermore, identifying data stored on the server is also encrypted or coded.

- The System Administrator(s) supports the daily operation of the database. Administration of the database is governed by agreements that limit the use of personal information to providing administrative support and generating reports.

BENEFITS OF AGENCY INFORMATION SHARING

Information you provide us is important to the ability of all agencies to continue to provide the services that you and others in our community are requesting.

Allowing us to share your real information results in a more accurate count of individuals and services used and helps us to:

- Better demonstrate the need for services and the specific types of assistance needed in our area
- Obtain more funds and other resources to provide services
- Plan and deliver quality services to you and your family
- Assist the agency to improve its work with families and individuals who are homeless
- Keep required statistics for state and federal funders

You may choose to share additional information with other agencies in order to:

- Promote coordination of services so your needs are better met.
- Make referrals easier by reducing paperwork.
- Avoid having to repeat information to get assistance from other agencies using the SC-HMIS.

RISKS IN SHARING INFORMATION

While this system is secure and promotes better service deliver to the homeless or those at-risk of becoming homeless, there are risks that may lead clients to choose to do the following:

- Allow only your name, age, date of birth, social security and services to be shared with other agencies. All other information kept confidential.
- Allow some statistical or demographic information to be shared to include assessment information.
- Allow demographic information and services, but not assessment information to include mental health, drug/alcohol use/history and domestic violence information.
- Close all information and only the System Administrator(s) can see the information.

QUESTIONS AND RISKS YOU SHOULD CONSIDER:

- Could there be physical harm or other negative consequences to you or members of your family if someone knew that they could find your from the information shared with other participating agencies?
- Could there be physical harm or other negative consequences to you or members of your family if someone found out you were provided with help, especially if you or your child has experienced domestic violence, sexual assault, stalking or child abuse?

Privacy Notice Amendments: The policies covered under this Privacy Notice may be amended over time and those amendments may affect information obtained by the agency before the date of the change. All amendments to the Privacy Notice must be consistent with the requirements of the Federal Standards that protect privacy of consumers and guide the implementation and operation